

UTE INDIAN TRIBE
2016 FISHING, BOATING, AND
CAMPING REGULATIONS
FOR THE UINTAH AND OURAY RESERVATION

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A. GENERAL REGULATIONS

1. Permits

- a. Annual fishing permits shall be valid 365 days.
- b. Annual permits require an additional *Conservation Fee* for maintenance and management costs of recreation management areas. (See provision C-2)

2. Vehicles

- a. No *Non-Indian, Non-Member and/or Non-Member Indian* may operate an *all-terrain vehicle* (ATV) or *Ultra-terrain vehicle* (UTV) on Tribal Trust Lands.
- b. Tribal members may operate ATV/UTV's within 2 miles of any populated community in accordance with the Ute Indian Tribe, *Law and Order Code*.
- c. Authorized personnel may operate ATV/UTV'S for the express purpose of Law Enforcement, Management, Search and Rescue, or medical emergency by approval of the Ute Tribal Business Committee and in accordance with the *Tribal Law and Order Code*.
- d. Any Non-Indian, Non-member and/or Non-Member Indian operating a motorized vehicle on Tribal Trust Lands shall be deemed to have consented to the lawful search of said vehicle by a peace officer.
- e. Non Indian, Non-Member and/or Non-Member Indian use of horses, llamas or other beast of burden on Tribal Trust Lands is strictly prohibited without written authorization by the Ute Indian Tribe.

3. Trespass

- a. No *Non-Indian, Non-Member and/or Non-Member Indian* shall engage in any activity on Tribal Trust Lands without first obtaining the proper permit. A violation of this regulation shall constitute trespass as defined in the Ute Indian Tribe *Law and Order Code*, and as directed by Ute Indian Tribe Policy.
- b. No *Non-Indian, Non-Member and/or Non-Member Indian* may trespass on or across Trust Lands, unless such travel is on or across a public highway or a designated public thoroughfare accessing a Designated Angling/Recreation Area, (See Provision B)and is a valid permit holder. Permit holder must have in his/her immediate possession a valid Fishing Camping Boating permit to perform that activity.
- c. No *Non-Indian, Non-Member and/or Non-Member Indian* may travel on or across a trust allotment or fee property on Tribal Trust Lands without having obtained the permission of the allottee or land owner.
- d. A Tribal Fishing, Camping, or Boating permit does not entitle the permit holder to sight see, explore, prospecting, antler/horn gather and/or hike on tribal trust lands.
- e. A Tribal Fishing Camping Boating permit does not entitle the permit holder to access Tribal Trust Land by horseback or any means other than vehicles with limitations as defined in provision A-2.

4. Animal Control

All dogs must be under the physical (on a dog leash) and voice control of the dog's handler at all times.

5. Weapons Restrictions

- a. No *Non-Indian, Non-Member and/or Non-Member Indian* may possess any firearm or archery equipment while on Trust Lands unless said person has in his/her immediate possession a valid permit authorizing permit holder to hunt and permit holder is validly engaged in hunting during the season for which the permit was issued.
- b. No person may hunt or discharge a firearm within one-half (1/2) mile of any lake or reservoir or Designated Angling/Recreation Area.
- c. It shall be unlawful for any *person* to willfully or negligently destroy or deface any sign, building, structure, or property of the Ute Indian Tribe, or any other property owner.

6. Closed Areas

- a. No *person* may fish, camp and/or boat in an area that has been determined CLOSED by the Ute Indian Tribe, or Ute Tribe Fish and Wildlife Department.
- b. Mixed-bloods are prohibited to angle on Hagen Lands under the authority of this proclamation.

7. Accompaniment

Any *person* authorized to fish, camp, or boat on Tribal Trust Lands shall not be accompanied by an unlicensed *person* unless said *person* is the legal spouse or minor child of the permit holder.

8. Exhibition of Permits

Any *person* engaged in hunting, fishing, or trapping, or transporting any harvested game shall be required, upon demand of any Tribal Peace Officer or Tribal Conservation Officer, to exhibit a valid Tribal license and/or permit, proper identification, and any device or apparatus in his/her possession used for hunting, fishing, or trapping.

9. License Possession

- a. No *person* shall engage in fishing, camping or boating, as defined by this proclamation, without having procured the necessary permits or tags, proper identification, and having a valid permits, tags, and proper identification in his/her possession while engaged in such activities.
- b. No *person* shall lend, transfer, sell, give or assign his/her permits or tags, or lend, transfer, sell, give or assign the rights granted by such permits to any

other *person(s)*.

10. Proper Identification

Any *person(s)* must have his/her valid identification immediately available at all times while engaged in angling, camping, or boating on Tribal Trust Lands.

11. Fishing Guides

- a. No Tribal Member may offer guide services on Tribal Trust Lands without having first registered and obtained proper authorization from the Ute Indian Tribe Fish and Wildlife Department.
- b. *Non-Indian, Non-Member and/or Non-Member Indian* are prohibited from guiding on Tribal Trust Lands.

12. Refunds Policy

Tribal Permits are Non-Refundable.

13. Permits

No *person* shall engage in any activity on Tribal Trust Lands, unless said *person* has a valid permit to perform such activity in his/her immediate possession. Failure to possess the proper permit(s) shall constitute trespass.

14. Pack in - Pack out Policy

All *persons* shall pack out all trash accumulated while fishing, camping, boating or hunting on Tribal Trust Lands.

15. Permit required for minors 12 Years of age and Older

Non-Indian, Non-Member and/or Non-Member Indian, 12 years of age and older, must obtain a valid permit before angling on Tribal Trust Lands. Permit and proper identification must be in the immediate possession of the *person* to whom it was issued at all times while such *person* is engaged in angling on Tribal Trust Lands.

16. Permits for minors 11 years of age and Under

- a. Any *Non-Indian, Non-Member and/or Non-Member Indian* between the ages of 7 and 11 years of age **may** purchase a Tribal permit entitling the holder to the full daily bag and possession limit, as established in Provision C-4.
- b. *Non-Indian, Non-Member and/or Non-Member Indian* and/or Un-Enrolled (Ute Indian Tribe) Indians 11 years of age or younger are **not** required to purchase a Tribal permit to angle on Tribal Trust Lands provided that:
 - a. *Non-Indian, Non-Member and/or Non-Member Indian*, 11 years of age or younger, must be accompanied by an adult with a valid Tribal permit.
 - b. *Non-Indian, Non-Member and/or Non-Member Indian*, 11 years of age or younger, angling without a Tribal permit shall be included in, and be

deducted from, the daily bag and possession limit from the licensed angler who is accompanying the minor.

17. Persons under 18 years of age

Any person under 18 years of age must be accompanied by a licensed angler while fishing on Tribal Trust Lands.

18. State Permits

- a. No *person* shall be required to obtain a fishing license from the State of Utah before angling on Tribal Trust Lands.
- b. A fishing license issued by the State of Utah shall not confer any rights on any person, and shall not be valid for fishing camping and boating on Tribal Trust Lands.

19. Time Limitations

- a. No person may angle on Tribal Trust Lands earlier than one-half (1/2) hour before official sunrise or later than one-half (1/2) hour after official sunset.
- b. All Tribal Annual fishing permits for the calendar year of 2016 shall expire at 11:59 pm of the 365th day from the day of permit purchase.
- c. Day permits shall be valid for one 24-hour period from 12:00am to 11:59 pm, of day specified on permit.

B. DESIGNATED ANGLING/ RECREATION AREAS

- 1. Tribal Fishing Camping and Boating permits entitle a permit holder to angling and recreational activities on Tribal Trust Lands, **ONLY** within each **Designated Angling / Recreation Area**.

Designated Angling/ Recreation Areas are defined as: Each recreational body of water, as identified in Provisions B-3 and B-4, and a recreational buffer of one-quarter (¼) of a mile around, or adjacent from waters edge.

2. Opening/Closing – Change Policy

- a. Opening/Closing dates are specifically determined by access limitation, liability, management concerns and/or Cultural/Tribal considerations. Areas may be closed because of the cultural significance that the area may possess to the Ute Indian Tribe, seasonal limitations for access and/or specific management requirements.
- b. In the interest of conservation and/or protection of a species, the Ute Tribe Fish and Wildlife Department may open or close any area, including a River, stream and/or creek and its associated tributary(s) or any reservoir, or portion of, by publishing a Notice of Opening/Closing no less than three (3) days in advance of the effective date.

3. Year Round Access for Angling - 2016

DESIGNATED ANGLING/RECREATION AREAS

Bottle Hollow Reservoir	Clay Basin Pond
Coyote Basin	Duchesne River
Gulf Pond	Midview Reservoir
Ouray Area-Green River	Strawberry River
Twin Pots Reservoir ¹	White River

**4. Restricted Access for Angling - 2016- Open/Closing Dates for Angling 2016
(see provision B-1)**

**DESIGNATED ANGLING/
RECREATION AREAS**

NON-MEMBERS

**TRIBAL MEMBERS
& MIXED BLOODS**

Big Springs Ponds ¹	OPEN Mar.26-Sept.7	OPEN year round
Bitter Creek	OPEN Mar.26-Sept.7	OPEN Feb. 27-Oct. 31
Cedarview Reservoir ¹	OPEN Mar.26-Sept.7	OPEN year round
Chandler Creek	CLOSED	CLOSED
Corral Creek	CLOSED	CLOSED
Dick Hollow	CLOSED	CLOSED
Elders Pond	Special Event	Special Event
Florence Creek	CLOSED	CLOSED
Green River-Desolation Canyon	CLOSED	OPEN Feb. 27-Oct. 31
Hill Creek,		
a. South of Towave to Weaver	CLOSED	OPEN Feb. 27-Oct. 31
b. North of Towave Reservoir	OPEN Mar.26-Sept.7	OPEN Feb. 27-Oct. 31
c. South of Weaver Reservoir	CLOSED	CLOSED
Lake Fork River	OPEN Mar.26-Sept.7	OPEN Feb. 27-Oct. 31
McAffee Basin	CLOSED	CLOSED
Pioche Creek	CLOSED	CLOSED
Pole Creek	OPEN Mar.26-Sept.7	OPEN Feb. 27-Oct. 31
Red Rock Property (Tribal Use See B-8)	CLOSED	CLOSED to Mixed Bloods
Rock Creek	OPEN Mar.26-Sept.7	OPEN Feb. 27-Oct. 31
Towave Reservoir ¹	OPEN Mar.26-Sept.7	OPEN year round
Uintah River	OPEN Mar.26-Sept.7	OPEN Feb. 27-Oct. 31
Weaver Reservoir	OPEN Mar.26-Sept.7	OPEN Feb. 27-Oct. 31
Whiterocks River	OPEN Mar.26-Sept.7	OPEN Feb. 27-Oct. 31
Yellowstone River	OPEN Mar.26-Sept.7	OPEN Feb. 27-Oct. 31

¹No Winter Road Maintenance, access at your own risk.

5. Bottle Hollow Reservoir and Recreation Area

- a. Alcoholic beverage possession and/or consumption at Bottle Hollow Reservoir and Recreation Area is STRICTLY PROHIBITED.
- b. Overnight camping is available in Designated Recreation Areas only.
- c. All *person(s)* shall not be in, on, or around the Bottle Hollow Reservoir and Recreation Area from one half (1/2) hour after official sunset to one half (1/2) hour before official sunrise.
- d. Special camping fee at Bottle Hollow Reservoir and Recreation Area are detailed within provision D-2.

6. Rock Creek Recreation Area

- a. Rock Creek Recreation Area is Day Use Only. Overnight Camping is STRICTLY PROHIBITED for Non-Members.
- b. Permit holders are restricted to a 150 foot recreational buffer, from the middle of the river to 75 feet on either bank.
- c. Special Permit required, from Ute Indian Tribe Outfitting & Guide Services, for Upper Rock Creek (From Farm Creek Bridge north to the Forest Service Boundary) – Visit www.uitfwd.com/outfitting for more information.
- d. Angling at Rock Creek Recreation area is limited to Flies and Lures ONLY
- e. Angling at Rock Creek Recreation area is limited to Catch-and-Release ONLY.

7. Big Springs Ponds and Recreation Area

- a. Alcoholic beverage possession and/or consumption at Big Springs Ponds and Recreation Area is STRICTLY PROHIBITED.

8. Red Rock Property

- a. This property is closed to all Non-Indian, Non-Member, Non-Member Indian and Mixed Bloods.
- b. Open to Tribal Members Only, as per the Newly Acquired Lands.
- c. Open to Tribal Members Feb. 27-Oct. 31.

9. Elders Pond Recreation Area

- a. Elders Pond Recreation area is open to Special Event Use Only. Contact Ute Indian Tribe F&WD for information on fishing or special event use.

C. FISHING PERMITS/FEEES/REGULATIONS

1. Permits

- a. **Season Permit:** Any *Non-Indian, Non-Member and/or Non-Member Indian* may purchase a permit which entitles him/her to angle and camp on Tribal Trust Lands during the 2016 fishing season, subject to the policy, and any

restrictions as defined within this proclamation, or imposed on the permit. The Ute Tribe reserves the right to sell, or deny the sale of any of its permits, at the Tribe's discretion.

- b. **Daily Permit:** Any *Non-Indian, Non-Member and/or Non-Member Indian* may purchase a permit which entitles him/her to angle and camp on Tribal Trust Lands during the 2016 fishing season, subject to the policy, and any restrictions as defined within this proclamation, or imposed on the permit. The Ute Tribe reserves the right to sell, or deny the sale of any of its permits, at the Tribe's discretion.
- c. **Persons with Disabilities:** Any *Non-Indian, Non-Member and/or Non-Member Indian* may obtain a Tribal permit, free of cost, with valid proof of disability. Disability permits are subject to any policy, and any restrictions, as defined within this proclamation or imposed on the permit. Permit must be picked up at the Ute Tribe Fish and Wildlife Office.

2. Permit Fees:

- a. **2016 Season fishing permit fees:**
 - a. 11 years and younger \$20.00*
 - b. 12 to 15 years of age \$30.00*
 - c. 16 to 55 years of age \$40.00*
 - d. 55 years of age and older \$25.00*

** A Conservation Fee of \$15.00, on annual permits, is required to cover the costs of facilities maintenance. The fee is required separately at the time of purchase and is not included in the above fees.*

- b. **2016 Daily fishing permit fees:**
 - a. 1-Day Permit \$15.00
 - b. 2-Day Permit \$25.00
 - c. 3-Day Permit \$35.00
 - d. 4-Day Permit \$45.00
 - e. 5-Day Permit \$55.00

3. Regulations:

- a. **Fishing Permit Camping:** A Season Fishing Permit shall entitle the permit holder and his/her immediate family to camp, without fee, in designated camp sites, within **Designated Angling/Recreation Areas**, for up to seven (7) consecutive days. After a seven (7) day consecutive stay, a permit holder and his/her immediate family shall not return to the **Designated Angling/Recreation Area** inhabited for a thirty (30) day period.
- b. **Bag Limits:** The 2016 daily bag and possession limits* for all Tribal Members, Mixed Bloods, and Non-Members who have purchased a permit shall be:

<u>SPECIES</u>	<u>BAG</u>	<u>POSSESSION</u>
Trout and salmon, in the aggregate	8	16
Cutthroat Trout (Weaver/Cedarview Reservoir)***	2	4
Lake Trout (Bottle Hollow/Twin Pots)**	4	4
Whitefish	10	20
Channel Catfish	24	48
Bluegill	10	20
Bass, Smallmouth and Largemouth, in the aggregate	8	16
Walleye	6	12
Yellow Perch	5	10
Northern Pike (from Green, White and Duchesne Rivers, ONLY)	No Limit	No Limit
Crayfish, Crawfish, Crawdads (Must have a valid Fishing Permit)	No Limit	No Limit

*Special management areas such as Bottle Hollow Reservoir, Cedarview Reservoir, and Rock Creek each possess specific harvest policy and regulations. See Provisions B-5 and B-6.

**The Bottle Hollow Lake Trout Competition Rules and Regulations may differ from this proclamation and are specific to the competition.

***Limit 2 Trout, only one may be a Cutthroat trout over 22 inches long. All cutthroat trout 22 inches or smaller must be immediately released. All Brook Trout must be killed immediately.

4. Free Fishing Day

- a. Bottle Hollow and Midview Reservoirs – Free Fishing Days to be announced.
- b. Permit requirement suspended during these days. Daily bag limit - 3 fish.
- c. Bottle Hollow Reservoir inlet is CLOSED to angling.
- d. Overnight camping is available in Designated Camping Areas only.

5. General Angling Regulations:

It shall be unlawful for any person(s) to take or attempt to take game fish by any means other than angling, except as defined below.

- a. No person may use more than two artificial flies or one mechanical lure, at any one time, on each rod, pole or troll board.
- b. No person may angle with a lure equipped with more than three gang hooks attached at any one time.
- c. Angling equipment must be attended at all times. *Attended* means that the angler shall be within ten (10) feet of equipment while engaged in angling.
- d. One (1) rod/pole per angler is allowable, while engaged in angling.

- e. It shall be unlawful for any person to use any of the following materials or products as bait while angling on Tribal Trust Lands: (a) corn or hominy (b) live baitfish (c) live or frozen game or non-game fish, or parts thereof (d) any bait, commercial fish attractants or artificial fish stimulants in waters designated for lures and flies only.
- f. Any licensed Angler may take carp, suckers, Utah chub and bullhead catfish for personal, non-commercial consumption from waters open to angling, by angling or by use of a set line, with the exception of federally listed Threatened or Endangered fish species (See provision C-10).
- g. No set line shall have more than ten hooks.
- h. No person may use more than one set line at any time for the taking of carp, suckers and catfish on the Green River.
- i. Set lines permitted on the Duchesne River, Green River, & White River ONLY.

- 6. Designated Angling /Recreation Areas:** All Tribal Fishing Camping and Boating permit holders shall be restricted to angling, camping, boating, and recreational activities in **Designated Angling/Recreation Areas** only, as defined by the provisions within this proclamation. (See Provision B-1)
- 7. Activities Expressly Prohibited** - All person(s) are strictly prohibited in any attempt to take any species of fish by means of *chumming*, *snagging* and *gaffing*, or by use of gill nets, trammel nets, trawl nets, hoop nets, fyke nets, seine nets, electrical device(s), chemical explosives, or firearms.
- 8. Possession of Fish** - No Tribal Member or Mixed Blood may sell, barter, trade, or give away any fish to any *Non-Indian, Non-Member and/or Non-Member Indian*.
- 9. Archery** - Archery Equipment may be permitted in the taking of carp by Tribal Members and Mixed Bloods.
- a. Bow Fishing Season: May 1-June 30, 2016.
 - b. Open Areas: Bottle Hollow and Midview Reservoirs.
- 10. Endangered Fish Policy** - Colorado Pikeminnow, Humpback Chub, Bonytail Chub, and Razorback Sucker are Federally Listed as Endangered Fish that have been known to inhabit reaches of the White, Duchesne and Green Rivers within Tribal Jurisdiction. It is illegal to catch, harm or take any or any part of these fish species. All Federally Listed Endangered Species must be released immediately unharmed. If a Federally Listed Endangered Fish is accidentally caught and hooked within its gullet, do not attempt to remove the hook as serious injury may occur as a result of handling the fish. Cut the line at the mouth and release the fish immediately.

D. CAMPING PERMIT/FEES/REGULATIONS

1. Permits:

- a. Camping Duration: Tribal camping permits shall be valid for up to seven (7) consecutive days from the date of purchase. Any individual camper at any permit holder's camping site, who is not a member of the permit holder's immediate family, will be required to obtain a Group Camping permit.
- b. No group/family of Non-Indian, Non-Member and/or Non-Member Indian may remain at a designated campsite for more than seven (7) consecutive days from date specified on permit. After a seven (7) day consecutive stay, a permit holder and his/her immediate family shall not return to the **Designated Angling/Recreation Area** inhabited for a 30-day period.
- c. **Camping Season:** The 2016 camping season shall begin, **March 26, 2016 and extend through Sept. 7, 2016**. Camping on Tribal Trust Lands is only permitted within **Designated Angling/Recreation Areas** (See Provision B-1)
- d. *Non-Indian, Non-Member and/or Non-Member Indian* must obtain a Tribal camping permit to camp on any Tribal Trust Lands.
- e. Any *Non-Indian, Non-Member and/or Non-Member Indian* who has purchased a permit to fish on Tribal Trust Lands may camp, with his/her immediate family, without charge, in accordance with the terms, guidelines and restrictions defined within this proclamation.
- f. No *person* may camp on Non-Tribal Trust Land or Allotted Land within the Uintah and Ouray Indian Reservation, Exterior Boundaries without first having obtained the permission of the Landowner or Allottee, as appropriate.
- g. Mixed Bloods are not allowed camping on *Hagen Lands* under the authority of this proclamation.
- h. Family Camping: Permits may be obtained entitling the permit holder(s) and his/her immediate family to camp at designated camping sites, within **Designated Angling/Recreation Areas** on Tribal Trust Lands. (See Provision B-1)
- i. Group Camping: Permits may be obtained entitling the permit holder(s) and the indicated number of individuals to camp at designated camping sites, within **Designated Angling/Recreation Areas** on Tribal Trust Lands. (See Provision B-1)

2. Permit Fees: 2016 Non-member Tribal camping permit fees shall be:

- | | | |
|-------------------|-----------------------------------|---------|
| a. Family Camping | Family..... | \$20.00 |
| b. Group Camping: | Group of 1 to 10 persons | \$25.00 |
| | Group of 11 to 15 persons | \$30.00 |
| | Group of 16 to 20 persons | \$40.00 |
| | Group of 21 to 30 persons | \$50.00 |
| | Group of 31 or more persons | \$60.00 |

- c. Desolation Camping: Group.....\$30.00
- d. Bottle Hollow Reservoir RV Park*\$25.00

***Must Contact Ute Tribe Fish and Wildlife Department – Parks Office at (435) 725-4815 to purchase permit.**

3. Special Regulations

- a. Permit holder(s) are responsible for all garbage/trash and other debris while camping on Tribal Trust Lands. Littering is strictly prohibited on Tribal Trust Lands. **‘PACK IT IN, PACK IT OUT!’**
- b. Rock Creek shall be CLOSED to camping to all *Non-Indian, Non-Member and/or Non-Member Indian*.
- c. Desolation Canyon shall be CLOSED to camping to all Non-Members with the following exceptions. Camping will be permitted with a valid Tribal Camping Permit and used in conjunction with BLM Special Recreation Permits. All BLM Recreation Special Permit stipulations shall apply. Contact BLM at (435) 636-3622, or at their web site www.blm.gov/utah/price/riverinf.htm for more information.
- d. Camping and recreation activities on Tribal Trust Lands are permitted ONLY in Designated campsites, within **Designated Angling/Recreation Areas**, as defined within this proclamation. (See Provision B-1) Doing any of the activities listed in A-3, outside of **Designated Angling/Recreation Areas** shall be considered trespass.
- e. Bottle Hollow Reservoir RV Park camping permits must be purchased from the Ute Indian Tribe Fish and Wildlife Department - Parks Office at (435) 725-4815.

E. BOATING PERMITS/FEES/REGULATIONS

1. Permits

- a. Non-Indian, Non-Member and/or Non-Member Indians:
A Tribal boat permit may be obtained which shall entitle the permit holder to operate a motorized or non-motorized boat on any lake or reservoir on Tribal Trust Land Waters. Permit holder(s) must provide a valid proof ownership of sail boat upon purchase. Boat permits must be affixed to the boat while in operation on any lake or reservoir on Tribal Trust Land Waters. Tribal boat permit holders are subject to all policies and restrictions defined within the *2016 Ute Indian Tribe Fishing Camping Boating Proclamation*.
- b. Tribal Members:
Tribal Members are required to obtain a Tribal boat permit, at no charge. Proof of Ownership and valid Tribal identification are required to obtain permit.

Watercraft are required to possess proper numerical identification affixed and must be currently registered to one of 50 states within the United States or one of 11 Canadian provinces within Canada while operating on Tribal Trust Land Waters.

2. Permit Fees:

Non-Member Tribal boating permit fees shall be:

Season Permit

- a. **Boat** (motor GREATER than ten (10) horsepower)
 - Jet Ski**\$100.00*
- b. **Boat** (motor - ten (10) horsepower or LESS)
 - Sailboat-Rowboat-Windsurfing Board-Rafts-Canoe-Kayak**.....\$50.00*

Daily Permit

- a. Daily permits (valid for any 24-hour period from 12:01 am to 11:59 pm): Any boat with/without a motor (including sailboats, rowboats, windsurfing boards, rafts, canoes and kayaks)\$30.00

* There will be a Conservation Fee of **\$15.00** to cover the costs of Facility Maintenance in all annual permits. The fee will be paid separately at time of purchase.

3. AIS Policy:

- a. As a result of Tribal Aquatic Invasive Species Management, the Ute Indian Tribe Fish and Wildlife Department may open or close any area, including a River, stream and/or creek and their associated tributaries or any reservoir, or portion of, by publishing a Notice of Opening/Closing no less than three (3) days in advance of the effective date.
- b. Any boat may be subject to decontamination, detainment and/or confiscation, as determined by Ute Indian Tribe Fish and Wildlife Department personnel, Conservation Officer or Ute Indian Tribe Law Enforcement Officers, and in accordance with the Ute Indian Tribe, AIS Management Policy and Law and Order Code.
- c. All Boats are required to have in possession a Self-Certification Form filled out and displayed on vehicle dashboard, prior to launching on any body of water on the Ute Indian Tribe, Uintah & Ouray Reservation. (Forms can be found at the back of the proclamation or at www.uitfwd.com)

4. Restrictions:

- a. No *person(s)* may operate an airboat on any lake or reservoir on Tribal Trust Land Waters.
- b. No person may operate a floating wader with a motorized engine attached.

- c. Para-sailing and para-gliding or similar activities shall be prohibited without a special use permit.
- d. Bottle Hollow Reservoir – Only 10 boats and 10 jet skis allowed on the reservoir at any given time.

5. Exceptions

Use of restricted motorized watercraft, rafts, canoes or other vessels shall be permitted **ONLY** for the purposes of management, law enforcement, search and rescue, or medical emergency by authorized person(s).

6. Boating Season:

- a. *Non-Indian, Non-Member and/or Non-Member Indian* Tribal Boating Season shall be March 26, through November 24, 2016.
- b. Bottle Hollow and Midview Recreation Areas shall be open February 27, through November 24, 2016.

7. Areas OPEN to Boating and Floating/Waders:

Bottle Hollow Reservoir Boating with or without motors; Floating, Waders
 Coyote Basin BOATING CLOSED; Floating, Waders
 Cedarview Reservoir* Boating with or without motors; Floating, Waders
 Gulf Pond BOATING CLOSED; Floating, Waders
 Midview Reservoir Boating with or without motors; Floating, Waders
 Twin Pots Reservoir* Boating with or without motors; Floating, Waders
 Big Spring Ponds BOATING CLOSED; No Floating, No Waders
 Clay Basin Pond BOATING CLOSED; Floating, Waders
 Towave Reservoir BOATING CLOSED; Floating, Waders
 Weaver Reservoir BOATING CLOSED; Floating, Waders
 Green, White and Duchesne Rivers** Canoes, kayaks, and rafts and boats without
 motors or motors less than 10 horsepower

* <25 HP Motors only on Cedarview and Twin Pots Reservoirs

** BLM Recreation Special Permit may apply. See BLM for River Permit details.

8. Boat Launching

All boat launching will be done at an established boat ramp at the marina; subject to availability.

9. Personal Floatation Devices

- a. No person may operate a boat less than 16 feet in length, canoe, and/or kayak on any lake or reservoir on Tribal Trust Land Waters, unless boat is equipped with the following:
 - a. Type I - life preserver;

- b. Type II - buoyant vest;
 - c. Type III - special purpose water safety buoyant device;
 - d. Type IV - buoyant cushion or ring life buoy for each person.
- b. Person(s) under 12 years of age are required to wear a properly fitting, Coast Guard, approved flotation device of the following types: Type I, II, or III personal flotation device, while on board any boat on any lake or reservoir on Tribal Trust Land Waters.
- c. Person(s) being towed by any watercraft are required to wear a properly fitting, Coast Guard approved, flotation device of one of the following types: Type I, II or III personal flotation device or a foam water sports jacket, provided that if this non-Coast Guard approved device is worn, there is a Coast-Guard approved flotation device on board the boat, in accordance with paragraph (a), above.

10. Operating Requirements: The United States Coast Guard rules and regulations governing the operation and safety requirements shall be enforced while on Tribal Trust Land Waters.

- a. No person may operate a boat or manipulate a water ski or similar machine on waters on Tribal Trust Land Waters in a reckless or negligent manner or while under the influence of any alcoholic beverage, narcotic drug, barbiturate, or other controlled substance.
- b. No person may operate a motorboat for the purpose of towing a skier:
 - a. unless he/she can maintain a safe course with proper lookout, and be aware of skier's progress through the proper use of a competent observer who is no less than 8 years of age;
 - b. before sunrise and after sunset;
 - c. in such a manner as to cause a tow rope, ski, or skier to collide with any object or person;
 - d. for para-sailing or para-gliding or similar activity.
- c. No person shall operate any motorboat in excess of a slow, wakeless speed within 150 feet of another boat, dock, launching area, designated wakeless or slow area, scuba launch platform, person, swimmer, skier or angler or his/her equipment or while any passenger is riding on an exterior surface of the boat such as the bow decking, gunwales, transom or motor cover or is standing, unless the boat is more than 16 feet in length and is equipped with adequate safeguards and railing to prevent such person(s) from falling overboard.
- d. No person shall operate or offer for rent any boat which is overloaded, overpowered, or unseaworthy, taking into consideration capacities, weather conditions, type of construction and other relevant conditions. The Fish and Wildlife Department Conservation Officers may prohibit any person from launching or operating a vehicle on waters on trust lands if, in the Department's opinion, said boat is overloaded, overpowered, or otherwise constitutes a hazard to the public safety.

- e. No person may swim from an unanchored boat unless at least one person capable of operating the boat properly remains on board the boat.
- f. No person shall permit a boat that he/she is operating to enter posted waters.
- g. No person shall operate a boat in violation of the instructions displayed on a marker bearing an orange circle on a white background on Tribal Trust Land Waters.
- h. No person shall operate a boat powered by an electric or gasoline engine while his/her vision is obstructed in the direction of travel on Tribal Trust Land Waters.
- i. No person shall allow his/her boat to occupy space at a public launching area or loading dock for more than 15 minutes without proper authorization.
- j. No person may operate boats and other motorized watercrafts within one hundred yards of anchored swimming platforms.
- k. No person may operate boats and other motorized watercrafts within fifty (50) yards of all floating buoy's.

F. RECREATION/SPECIAL USE PERMITS

1. Recreation/Special Use Permits:

Permits are valid for seven (7) Consecutive Days from the date of purchase.

- a. **Recreation Use Permit:** Permit entitles permit holder, and up to ten (10) individuals, **picnicking** and **swimming** use within Designated Angling/Recreation Areas, as defined in this proclamation, on Tribal Trust Lands. (See Provision B-1)
- b. **Scuba Permit:** Permit entitles permit holder scuba access for use within the Bottle Hollow Recreational area. Permit is valid for seven (7) consecutive days from date of purchase.
- c. **Boat/Raft/Canoe Take-out Parking:** No non-member may park vehicle on trust lands for the putting in or taking out of approved watercraft on the White River, Duchesne River or Green River, unless he/she has purchased a valid Special Use permit.

2. Restrictions

No Non-Member(s) may engage in, picnicking, swimming, scuba diving or additional recreational activities, on Tribal Trust Lands, without purchase of a Recreation/Special Use permit.

NOTICE TO ALL PERSONS: Swim at your own risk. All person(s) under 18 years of age must be accompanied by a responsible adult. The Ute Indian Tribe, Ute Tribe Fish and Wildlife Department and Tribal staff will not be liable for any loss of property, personal injury or loss of life while engaged in any activity on the Reservation.

3. Permit Fees: 2016 Non-Member Recreation/Special Use permit fees shall be:

- | | | |
|--------------------------------------|----------------------------|---------|
| a. Recreation Use Permit: | Group of 1 to 10 persons | \$20.00 |
| b. Scuba Permit: | Individual | \$25.00 |
| c. Boat/Raft/Canoe Take-out Parking: | Individual Vehicle/per Day | \$5.00 |

G. PROSECUTION

Any person(s) who violates any provision of the Rules and Regulations of the Ute Indian Tribe shall be subject to Criminal Prosecution in a court of competent jurisdiction and shall be subject to Civil Penalties as provided in the Ute Tribe Law and Order Code.

H. LIABILITY

The Ute Indian Tribe and the Ute Tribe Fish and Wildlife Department shall not be held liable for the following: Loss of property or life, personal injury, theft, fire and/or accidents that may occur during the Fishing and Camping Season. Also, any other activity due to negligence or failure to comply with the Rules and Regulations established pursuant to the Ute Tribe Fishing Camping and Boating Annual Proclamation.

I. DEFINITIONS - The following terms shall have the prescribed meaning for the purposes of this proclamation only.

- 1. Adult** shall mean any person 12 years of age or older for purposes of permits and bag/possession limitations established under these guidelines; for all other purposes, "adult" shall mean any person 18 years of age or older.
- 2. Aggregate** shall mean the combined total of trout and salmon or bass species in the possession of the permit holder.
- 3. Agreement** shall mean the State/Tribe Cooperative Agreement on Hunting, Trapping and Fishing, signed on May 7, 1999 between the State of Utah and the Ute Indian Tribe.
- 4. All/Ultra-terrain vehicle (ATV/UTV)** shall mean, but not limited to, All terrain vehicle (ATV), ultra terrain vehicle (UTV), motorcycles, three-wheelers, quad-runners, snowmobiles, or any other vehicle designed for travel over unimproved terrain.
- 5. Angling** shall mean fishing with rod, pole, tipup, handline or trollboard, held in the hands of, or within 10 lineal feet of, the person fishing and having a single line with legal hooks, baits or lures attached.
- 6. Aquatic life or animal** shall mean any species of fish, crustacean, aquatic insect or amphibian.

7. **Artificial lure** shall mean any device made of rubber, wood, metal, glass, fiber, feathers, hair or plastic with hook or hooks attached.
8. **Bag limit** shall mean the maximum limit, in number or amount, of aquatic life which may lawfully be taken by any one person during any one day.
9. **Boat** shall mean any craft used to transport a person on water, whether by electric or gasoline engine, sail or manual power, and shall include, but shall not be limited to, a sailboat, skiff, rowboat, dinghy, dory and launch.
10. **Chumming** shall mean depositing in the water any substance, not attached to a fishing device, for the purpose of attracting fish.
11. **Closed Season** shall mean that period of time during which the taking of fish, or a particular species of fish, is prohibited.
12. **Code** shall mean the Wildlife and Outdoor Recreation Code of the Ute Indian Tribe of the Uintah and Ouray Reservation, found at Title VIII of the Ute Law and Order Code, as amended by any subsequent ordinances or resolutions of the Tribal Business Committee.
13. **Designated Angling/ Recreation Areas** shall mean: Each recreational body of water, as identified in Provisions C3 and C4, and a recreational buffer of one-quarter (¼) of a mile around, or adjacent from the water's edge.
14. **Endangered Species** shall mean but shall not be limited to the following species; Razorback sucker, Humpback chub, Flannelmouth sucker, and Colorado Pikeminnow.
15. **Fishing** shall mean to catch or attempt to catch fish, crayfish, or other aquatic animals.
16. **Float Tube** shall mean a floating device, that is not considered a boat or raft and that is capable of supporting one person.
17. **Floating Wader** shall mean an inflatable device used to support one person on the water which does not exceed 48 inches in any dimension.
18. **Game Fish** shall mean trout (rainbow, albino, cutthroat, brown, golden, brook, and lake), kokanee salmon, grayling, whitefish, largemouth and smallmouth bass, bluegill, channel catfish, northern pike, tiger muskie, and walleye.
19. **Guide** shall mean any person who offers services at a cost or at no cost of providing direction and/or supervision to any person to an area or areas on the trust lands for the purpose of angling, camping, or other recreational activities.
20. **Hagen Lands** shall mean those lands within the original boundaries of the Reservation which were determined to have been removed therefrom in Hagen v. Utah, 510 U.S. 399 (1994) and Ute Indian Tribe v. Utah, 114F.3D 1513 (1997) including those lands known as the "Strawberry Reclamation Project" and the "Gilsonite Strip".
21. **Immediate Family** shall mean the spouse (Lawfully Married) and minor children of a permit holder.
22. **Lake or Reservoir** shall mean a natural or man-made body of standing water contained in a depression of the earth's surface, and supplied from drainage.
23. **Licensed Angler** shall mean any non-member 12 years of age or older who has a

valid fishing permit issued by the Ute Tribe Fish and Wildlife Department.

24. **Minor** shall mean any person under the age of 12 years for purposes of permits and bag/possession limitations established under these guidelines; and for all other purposes, "minor" shall mean any person under the age of 18 years.
25. **Mixed Bloods** shall mean any person whose name appears on the final roll of mixed-blood members of the Ute Indian Tribe which was published in the Federal Register on April 5, 1956.
26. **Motor** shall mean any and all electric and internal-combustion engines.
27. **Newly Acquired Lands** shall mean all lands recently acquired by the Ute Indian Tribe and in the process of being put into trust.
28. **Non-Game Fish** shall mean all fish species that are not listed as game fish, including (but not limited to) carp, suckers, chubs and minnows.
29. **Non-Indian** shall mean any person who is not a Tribal member, a Mixed-blood, or a Non-member Indian.
30. **Non-Member** shall mean all non-Indians and all non-member Indians.
31. **Non-Member Indian** shall mean an enrolled member of an Indian tribe other than the Ute Indian Tribe that is recognized by the Secretary of the Interior as possessing a government-to-government relationship with the United States; excepting that the phrase "Non-member Indian" shall not include Mixed-bloods.
32. **Peace Officer** shall mean a Ute Indian Tribe conservation officer, Bureau of Indian Affairs' police officer, or federal law enforcement officer who has been authorized to enforce any rules or regulations in accordance with tribal or federal law.
33. **Permit** shall mean a document issued by the Ute Tribe Fish and Wildlife Department, which authorizes the person to whom it was issued to engage in the specific activity(ies) specified on the permit.
34. **Person** shall mean a natural being and, unless otherwise defined within this proclamation, shall include all Non-Indian, all Non-member and all Non-Member Indians, as defined within provision I – Definitions.
35. **Possession** shall mean the actual or constructive custody of and control over a thing.
36. **Possession Limit** shall mean the maximum limit, in number or amount, of aquatic life taken from the reservation which may lawfully be in the possession of any one person at any one time.
37. **Proclamation** shall mean the rules and regulations established by the Ute Indian Tribe Business Committee of the Ute Indian Tribe for the managing the resources on the Uintah and Ouray Reservation, which proclamation sets the seasons and regulations for use of Reservation lands and waters.
38. **Proper Identification** shall mean:
 - a. for a tribal member, a Ute Indian Tribe identification card;
 - b. for a mixed-blood, a Mixed Blood identification card issued by the Bureau of Indian Affairs;
 - c. for non-member Indians, a valid identification card issued by the Tribe in

which said person is enrolled or a Certificate of Degree of Indian Blood issued by the Bureau of Indian Affairs;

- d. for non-Indians, a valid, picture identification card (e.g. such as driver's license) issued by the state in which said non-Indian resides.

- 39. **Reservation** shall mean all lands located within the exterior boundaries of the Uintah and Ouray Reservation, Utah.
- 40. **Set Line** shall mean a line anchored at one end to a non-moving object and not attached to a fishing pole.
- 41. **Single Hook** shall mean a hook or multiple hooks having a common shank.
- 42. **Snagging and Gaffing** shall mean attempting to take fish in such a manner that the fish does not take the hook voluntarily in its mouth. Snag or gaff hooks are hooks with or without handles used to take fish by snagging or gaffing.
- 43. **Take or Taking** shall mean to hunt, pursue, harass, angle for, catch, capture, possess, trap, or kill, or to attempt to hunt, pursue, harass, angle for, catch, capture, possess, trap or kill any fish or aquatic animal.
- 44. **Trespass** shall mean to enter unlawfully upon trust lands.
- 45. **Tribal Members** shall mean any person who is an enrolled member of the Ute Indian Tribe of the Uintah and Ouray Reservation.
- 46. **Trust Lands** shall mean all lands of the Uintah and Ouray Reservation which are held by the United States in trust for a member of or for the Ute Indian Tribe and all lands title to which is held by the Ute Indian Tribe and the United States.
- 47. **Waste** shall mean the abandonment, spoilation, deterioration or any other use of a fish or aquatic animal, protected under these guidelines, that is not usually associated with a beneficial use of the species involved.